

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Tracy Findlay v Intrastate Distributors Inc**
Docket No. **275896**
L.C. No. **04-416404-CZ**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal from the December 1, 2006 order denying the request for attorney fees by plaintiff's former counsel is **DISMISSED** for lack of jurisdiction since appellant was never a party to the case below. MCR 7.203(A). Moreover, this postjudgment order is not appealable as a matter of right since the requested fees were contractual instead of being a sanction for failing to settle the case before the entry of the final order as required by the court rules. MCR 7.202(6)(a)(iv) and 7.203(A)(1). If appellant still wants to challenge this order, it must file a delayed application for leave to appeal. MCR 7.203(B)(1) and 7.205(F)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 15 2007

Date

Sandra Schultz Mengel
Chief Clerk